

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

LONG TERM CARE CORP., LLC,

*Plaintiff,*

v.

AGUSTIN RAMOS,

*Defendant*

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AGUSTIN RAMOS,

*Counter Claimant,*

v.

LONG TERM CARE CORP., LLC,

*Counter Defendant*

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AGUSTIN RAMOS,

*Third Party Plaintiff,*

v.

ONIX GROUP, STEPHEN S. SILVER,

RONALD E. SCHAFER,

*Third Party Defendants.*

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CIVIL ACTION

NO. 18-0281

**ORDER**

**AND NOW**, this 1st day of August, 2018, upon consideration of Long Term Care Corp., LLC's Motion to Partially Dismiss Counterclaims (ECF No. 16), Ramos's Response (ECF No. 20), Onix Group, Stephen Silver, and Ronald Schafer's Motion to Partially Dismiss the Third Party Complaint (ECF No. 15) and Ramos's Response (ECF No. 17), it is hereby **ORDERED** that the Motions (ECF Nos. 15 & 16) are **GRANTED in part** as follows:

1. Count 1 (fraudulent inducement) is **DISMISSED with prejudice**;

2. Count 3 (breach of duty of good faith and fair dealing) is **DISMISSED without prejudice**;
3. Count 6 (promissory estoppel) is **DISMISSED without prejudice**;
4. The Court will strike Ramos's request for punitive damages.

Ramos may amend his breach of good faith and fair dealing and promissory estoppel claims, consistent with the Court's Memorandum, on or before August 17, 2018.

BY THE COURT:

/s/ Gerald J. Pappert  
GERALD J. PAPPERT, J.